

REMARKS / DISCUSSION OF ISSUES

The present amendment is submitted in response to the Office Action mailed October 28, 2010. In view of the remarks to follow and amendments above, reconsideration and allowance of this application are respectfully requested.

Status of Claims

Upon entry of the present amendment, claims 1-11 will remain pending in this application. Claims 1-9 have been amended. Claims 10 and 11 have been added. Applicants respectfully submit that no new matter is added by the present amendments.

The claims in general are amended for one or more non-statutory reasons, for example to correct one or more informalities or obvious errors, remove figure label numbers, remove unnecessary limitations, and/or replace European claim phraseology with U.S. claim language having the same meaning.

Claim Rejections under 35 USC/ 103

In the Office Action, Claims 1-9 stand rejected under 35 U.S.C. §103 (a) as being unpatentable over U.S. Patent No. 5,936,774 (“Street”) in view of U.S. Patent No. 5,936,774 (“Wohlstadter”). Applicants respectfully traverse the rejections.

Regarding Claim 1, the Office Action states Street discloses teaches numerous elements defined by rejected Claim 1. See Office Action, page 2. These elements include, a display device comprising an imaging layer with a plurality of picture elements and a lens layer comprising a plurality of lens elements for projecting light from different picture elements in the imaging layer to the left and right eyes of a user in order to provide an autostereoscopic effect for determining the position of a user’s head.

The Office Action further recognizes that Street does not specifically disclose that each lens element comprises at least one lens cell which defines a closed space, having a front wall, facing the user, a back wall facing the imaging layer and side walls, connecting the back and front walls, the closed space being filled with first and second substantially immiscible fluids having different refractive indices, each cell comprising means for varying the shape of the

interface between the first and second fluids, wherein the side walls of each lens cell comprises at least a first and second individually controllable electrode, and controlling means for controlling potentials of the electrodes based on a target position. The Office Action cites Wohlstadter for teaching the afore-cited elements not taught by Street.

Notwithstanding whether Wohlstadter teaches that the elements not taught by Street, Claim 1 has been amended to recite further features that are neither taught or suggested by Street and Wohlstadter, alone and in any reasonable combination. Accordingly, the cited portions Street and Wohlstadter do not anticipate claim 1 because the cited portions of Street and Wohlstadter do not teach or suggest every element of claim 1, as amended. For example, the cited portions of Street and Wohlstadter teach or suggest, “*each cell comprising means for varying the convexity and/or tilt of the interface between the first and second fluids*”, as recited in Claim 1. Emphasis Added.

In the Office Action, at pages 2-3, Wohlstadter is cited for disclosing a three dimensional imaging system, wherein a two-dimensional image is overlayed with an array of microlenses to generate light cones of varying divergence and simulate 3D space. Wohlstadter is cited for further disclosing that a known technique for providing focal length variation and control includes placing microelectrodes within liquid lenses and varying the potential in order to change the curvature of the generated lens (*See Wohlstatder, col. 3, lines 53-58*). Furthermore, the Office Action asserts that Wohlstatder explains that one method of implementing such a liquid lens utilizes hydrophobic liquid micro-lenses formed on a surface and covered with an aqueous solution, wherein the surface potential is varied versus the aqueous solution (*See Wohlstatder, col. 3, lines 61-64*). Such microlenses are capable of rapidly varying the focus of the lens (*See Wohlstatder, Col. 3, lines 61-64*). Wherein the rapid focusing is required to implement the 3D display of the corresponding pixels (*See Wohlstadter, col. 7, line 63 through col. 8, line 10*).

From the above, it is clear that while Wohlstatder allegedly discloses a known technique for providing focal length variation and control by placing microelectrodes within liquid lenses and varying the potential in order to change the curvature of the generated lenses, nothing in Wohlstatder teaches or suggests *each cell comprising means for varying*

the convexity and/or tilt of the interface between the first and second fluids”, as recited in Claim 1 as amended. Because the potentials applied to the individual electrodes of Applicant’s device are individually controllable, it is not only possible to obtain a meniscus with variable convexity, but also a tilted meniscus. See Applicant’s specification, page 6, lines 10-12. Therefore, Wohlstatder fails to teach or suggest the above claimed feature.

In further contrast to what is taught in Street and Wholstadter, it is respectfully submitted that the lenticular lenses of the invention are small in one direction and large in the other direction. As a result, simply using a liquid lens, as disclosed in Wholstadter will not work. If such a lens were to be inserted into the Wholstadter device, gravity would act on the lens and deform the surface depending on the orientation of the screen. This drawback is overcome by the invention by using first and second fluids 13, 14 that do not mix and have substantially equal densities, in order to minimize the gravity effect.

In view of at least the foregoing, Applicants submit that claim 1 is patentable over the combination of Street and Wohlstatder. Claims 2-8 depend from independent Claim 1 and therefore contain the limitations of Claim 1 and believed to be in condition for allowance for at least the same reasons given for Claim 1 above. Accordingly, withdrawal of the rejection under 35 U.S.C. §103(a) and allowance of Claims 2-8 is respectfully requested.

Independent Claim 9 recites similar subject matter as Claim 1 and therefore contains the limitations of Claim 1. Hence, for at least the same reasons given for Claim 1, Claim 9 is believed to contain patentable subject matter.

In addition, Applicants deny any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicants reserve the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner’s statements are conceded.

New Claims

Claims 10 and 11 are derived from claim 7 and are added to remove any unnecessary limitations associated with claim 7.

Conclusion

In view of the foregoing amendments and remarks, it is respectfully submitted that all claims presently pending in the application, namely, Claims 1-11 are believed to be in condition for allowance and patentably distinguishable over the art of record.

If the Examiner should have any questions concerning this communication or feels that an interview would be helpful, the Examiner is requested to call Mike Belk, Esq., Intellectual Property Counsel, Philips Electronics North America, at 914-333-9643.

Respectfully submitted,



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